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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,874	10/22/2001	Akihiko Hamamura	110924	7497

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OLIFF & BERRIDGE
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

CHO, UN C

ART UNIT	PAPER NUMBER
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2687

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,874

Applicant(s)

HAMAMURA, AKIHIKO

Examiner

Un C Cho

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 1-3, 7 and 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-6, 8-10, 12 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 4, 5, 8, ^{and} 12 ~~and 13~~ are rejected under 35 U.S.C. 102(e) as being anticipated by Fukuoka (US 6,300,976 B1).

Regarding claim 4, Fukuoka discloses a wireless communication unit, comprising: an interface portion signally connected to a main device (I/O card having a card connector, Fig. 1, 15 and Fig. 8, 40, connected to a camera, Fig. 1, 30); a recording portion performing non-volatile recording (flash memory, Fig. 8, 45); a wireless communication portion performing wireless communication (I/O connector can be used to perform wireless communication, Fukuoka, Col. 3, lines 33 – 37); a control portion transmitting information through said wireless communication portion to an external destination (I/O protocol controller, Fig. 8,

43) and generating a backup of said information in said recording portion (memory card stores information captured by the camera, Fukuoka, Col. 5, line 48 through Col. 6, line 10), said information being inputted from said main device to said control portion through said interface portion (Fukuoka, Col. 2, lines 57 – 62); and a mode input portion receiving input of a manipulation by a user of setting an operation mode (the user can set an operating mode from the camera, Fukuoka, Col. 5, lines 29 – 34), wherein said control portion includes, as operation modes set in said mode input portion: a communication and backup mode for transmitting and backing up said information (the user can store information captured by the camera in the memory card, Fukuoka, Col. 5, lines 48 – 57 and transmit the captured data through the I/O card, Fukuoka, Col. 2, lines 60 – 62 and Col. 3, lines 27 – 48); and a recording mode for recording said information without transmitting said information (memory card is used to store captured information, Fukuoka, Col. 5, line 48 through Col. 6, line 10).

Regarding claim 5, Fukuoka discloses wherein said control portion further includes, as the operation mode set in said mode input portion, a communication mode for transmitting said information without performing the non-volatile recording of said information (images captured by the camera can be transmitted without storing the images in the flash memory, Fukuoka, Col. 3, lines 27 – 48).

Regarding claim 8, Fukuoka discloses a wireless communication unit, comprising: an interface portion signally connected to a connector of a main device (I/O card having a card connector, Fig. 1, 15 and Fig. 8, 40, connected to

a camera, Fig. 1, 30), said connector being dedicated to a recording-medium (flash memory, Fig. 8, 45); a wireless communication portion performing wireless communication (I/O connector can be used to perform wireless communication, Fukuoka, Col. 3, lines 33 – 37); and a control portion having a function of acquiring information to be recorded from said main device while imitating a recording operation done on said main device through said interface portion and function of transmitting said acquired information through said wireless communication portion to an external destination (the user can store information captured by the camera in the memory card, Fukuoka, Col. 5, lines 48 – 57 and transmit the captured data through the I/O card, Fukuoka, Col. 2, lines 60 – 62 and Col. 3, lines 27 – 48), wherein said control portion selects said information with predetermined attribute information and transmits said selected information through said wireless communication portion to the external destination (CPU controls the operating parameter of the camera, Fukuoka, Col. 5, lines 29 – 34 and Col. 6, lines 18 – 54).

Regarding claim 12, Fukuoka discloses a wireless communication unit, comprising: an interface portion signally connected to a connector of a main device (I/O card having a card connector, Fig. 1, 15 and Fig. 8, 40, connected to a camera, Fig. 1, 30), said connector being dedicated to a recording-medium (flash memory, Fig. 8, 45); a wireless communication portion performing wireless communication (I/O connector can be used to perform wireless communication, Fukuoka, Col. 3, lines 33 – 37); and a control portion having a function of

acquiring information to be recorded from said main device while imitating a recording operation done on said main device through said interface portion and a function of transmitting said acquired information through said wireless communication portion to an external destination, wherein said wireless communication unit is constituted by being divided at least into a connection unit (card connector located within the main device, Fig. 1, 17 and card connector of I/O card, Fig. 8, 40) and a body unit (I/O card, which if desired can include the functions of the memory card, Fig. 1, 15 and 16, Fukuoka, Col. 6, lines 55 - 60), said connecting unit (card connector, Fig. 1, 17) including at least said interface portion and having a size and an outer shape allowing said connection unit to be substituted with the recording-medium connected to the connector of said main device (Fig. 1), said connector being dedicated to the recording-medium, and said body unit being signally connected to said connection unit and including at least said wireless communication portion (Fukuoka, Col. 3, lines 27 - 48 and Col. 6, lines 55 - 60).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuoka in view of Tipirneni (US 2002/0109859 A1).

Regarding claim 6, Fukuoka as applied above discloses a wireless communication unit, comprising: an interface portion signally connected to a main device (I/O card having a card connector, Fig. 1, 15 and Fig. 8, 40, connected to a camera, Fig. 1, 30); a recording portion performing non-volatile recording (flash memory, Fig. 8, 45); a wireless communication portion performing wireless communication (I/O connector can be used to perform wireless communication, Fukuoka, Col. 3, lines 33 – 37); and a control portion transmitting information through said wireless communication portion to an external destination (I/O protocol controller, Fig. 8, 43) and generating a backup of said information in said recording portion (flash memory being used to store information captured by the camera), said information being inputted from said main device to said control portion through said interface portion (Fukuoka, Col. 2, lines 57 – 62).

However, Fukuoka as applied above does not specifically disclose wherein said control portion automatically deletes said backup from said recording portion after transmission of said information in said wireless communication portion is normally terminated, when said control portion generates the backup of said information in said recording portion. In an analogous art, Tipirneni discloses wherein said control portion automatically deletes said backup from said recording portion after transmission of said

information in said wireless communication portion is normally terminated, when said control portion generates the backup of said information in said recording portion (Tipirneni, Page 3, Paragraph 0032, lines 7 – 26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Tipirneni to the system of Fukuoka in order to provide an efficient system and method for viewing and more particularly to a password-protected system which acquires and transmits patient images to a server for remote access via the Internet.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuoka in view of Watanabe et al. (US 5,590,306).

Regarding claim 9, Fukuoka as applied above does not specifically disclose wherein said attribute information is attribute information implying write protect. In an analogous art, Watanabe discloses an attribute information implying write protect (Watanabe, Col. 21, line 65 through Col. 22, line 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Watanabe to the system of Fukuoka in order to provide an IC memory card control system capable of efficiently using storage areas by restoring an IC memory card which has been subjected to a hot-line ejection.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuoka in view of Komori (US 6,182,004 B1).

Regarding claim 10, Fukuoka discloses a wireless communication unit, comprising: an interface portion signally connected to a connector of a main device (I/O card having a card connector, Fig. 1, 15 and Fig. 8, 40, connected to a camera, Fig. 1, 30), connector being dedicated to a recording-medium (flash memory, Fig. 8, 45); a wireless communication portion performing wireless communication (I/O connector can be used to perform wireless communication, Fukuoka, Col. 3, lines 33 – 37); and a control portion having a function of acquiring information to be recorded from said main device while imitating a recording operation done on said main device through said interface portion and a function of transmitting said acquired information through said wireless communication portion to an external destination (the user can store information captured by the camera in the memory card, Fukuoka, Col. 5, lines 48 – 57 and transmit the captured data through the I/O card, Fukuoka, Col. 2, lines 60 – 62 and Col. 3, lines 27 – 48).

However, Fukuoka as applied above does not specifically disclose wherein said control portion prohibits power supply from said main device to said wireless communication unit from being stopped by imitating the recording operation done on said main device through said interface, while performing wireless communication with said wireless communication portion. In an analogous art, Komori discloses wherein said control portion prohibits power

supply from said main device to said wireless communication unit from being stopped by imitating the recording operation done on said main device through said interface, while performing wireless communication with said wireless communication portion (prevent power failure during a rewriting of a program stored in a rewritable nonvolatile memory, Komori, Col. 1, lines 21 – 32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Komori to the system of Fukuoka in order to provide a nonvolatile memory rewriting apparatus and method which is capable of setting a hold/stop condition of an electric power supply during a program rewriting in correspondence with the importance or priority of programs stored in a rewritable nonvolatile memory.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuoka in view of Palatov et al. (US 2003/0063196 A1).

Regarding claim 13, Fukuoka as applied above does not specifically disclose wherein said body unit includes an extension connector connectable to the recording medium; and said control portion records said information in the recording-medium connected to said body unit through said extension connector. In an analogous art, Palatov discloses wherein said body unit includes an extension connector connectable to the recording medium (card adapter, Fig. 1B, 122 configured to receive a storage card, Fig. 1B, 120); and said control portion records said information in the recording-medium connected to said body unit

through said extension connector (transfer data from the portable storage device, Fig. 1B, 100 to the storage card, Fig. 1B, 120, Palatov, Page 5, Paragraph 0067, lines 4 – 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Palatov to the system of Fukuoka in order to provide a memory adapter so that the user can transfer data from a data storage card, that is used to take digital photos, to a portable storage device then the user can economically take unlimited number of digital photos without the need to frequently upload data to a desktop computer.

Response to Arguments

9. Applicant's arguments with respect to claims 1 – 13 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2687

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Un C Cho
Examiner
Art Unit 2687

7/29/05 *UC*

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8/3/05
LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER